

IN SENATE OF THE UNITED STATES.

JUNE 29, 1842.

Ordered to be printed.—To accompany Senate bill 69.

Mr. McROBERTS submitted the following

REPORT :

The Committee on Post Offices and Post Roads, to whom was referred Senate bill 69 for the relief of the Nantucket Steamboat Company, report.

That the petitioners claim compensation for conveying the mail from New Bedford to Nantucket, at the rate of \$150 per annum, from 1832 to 1836. They state that they submitted proposals for conveying the mail from Wood's Hole to Nantucket for \$1,800, and from New Bedford to Nantucket for \$150 per annum, and that both bids were accepted, and the service performed on both routes. They further state, that, although the bid was accepted by the Post Office Department on the last-named route, no bond or contract was transmitted to them to sign, although the Department promised to forward the same to them for that purpose. And in proof of this, the following copy of a letter, proved by the oath of O. B. Brown, then a clerk in the General Post Office, is produced :

“POST OFFICE DEPARTMENT,
“November 15, 1832.

“SIR: Your proposal for transporting the mail on post-route No. 383 at \$1,800 per annum, is accepted, with the extension and improvement stated in your proposals, to wit: \$150 additional, with the express understanding that you amply secure the mail from rain or snow with an oil-cloth or bear-skin.

“The necessary bond and contract will be forwarded in a few days. If the bond and contract by any accident do not reach you, it is expected that you will begin to transport the mail in the manner and at the period stipulated. Your pay in that event will begin at the period mentioned, and at the rate above expressed, notwithstanding you have not executed a bond and contract for the post-route.

“I am, respectfully, your obedient servant,

“O. B. BROWN,
“For the Postmaster General.”

“STEAMBOAT COMPANY, Nantucket, Mass.”

Under the authority of this letter the petitioners performed the service by conveying the mail from Nantucket to New Bedford, for the period of four years, as they represent, and which was the extension and improvement at \$150 additional as specified in the letter of O. B. Brown, under the Post Office law. The Department has refused to make the payment, because there was no written contract executed by the parties, and the petitioners, therefore, apply to Congress for payment.

Thomas Allen, print.

Neither the proposals, nor any of the original papers connected with the subject, can be found, though papers purporting to be copies are furnished. In a letter from Mr. Hobbie, dated June 18, 1842, he says, "*the proposals or bid of the Nantucket Steamboat Company, in the fall of 1832, &c., can not be found upon the files of this office. Neither can be found any of the papers connected therewith. I have no doubt whatever, that they have on some former occasion been sent or handed over to some of the Post Office committees of Congress, to enable them to investigate the claim, which said company has had pending for a long time for an allowance of \$150 a year for conveying a mail from New Bedford to Nantucket, a service that was not then advertised for, but which said company proposed to render at that amount, in addition to the \$1,800 a year which the company asked for the additional service from Falmouth to Nantucket. The accompanying certificate will show that such a bid was received and an abstract of it recorded in the Department.*"

The certificate of the entry, in what is called the proposal book, shows that the company's bid of \$1,800 was accepted, with a note in these words, "extended, and in steamboat and packet, \$150, &c. *See proposal.*"

Such is the evidence which has been furnished to the committee the present session. In a letter of C. K. Gardner, Auditor of the Post Office Department, dated in 1838, he expressed the opinion, that the claim had an equitable foundation, and referred, as the basis of that opinion, to the entry in the proposal book, that the route was "*extended, and in steamboat and packet, \$150, &c. See proposal.*"

The postmaster at Nantucket states, that, in 1832, the Post Office Department transmitted to him a letter accepting the bid of the petitioners of \$1,800 for route 383, and that, to best of his recollection, there was a memorandum endorsed upon the letter for the petitioners, informing them that *their bid for \$150 per annum for the way mail was accepted.*

The service appears to have been performed, and the compensation seems to be but reasonable, even if there were no evidence of the amount stipulated to be paid.

The committee, therefore, report the bill without amendment, and recommend its passage.